

**PROFESSIONAL ENGINEERS SECTION MEETING
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND SURVEYORS
MINUTES
FEBRUARY 2, 2012**

PRESENT: Joseph Eberle, Steven Hook, Charles Kopplin, Mark Mayer (arrived at 9:51 a.m. and was excused at 1:31 p.m.)

STAFF: Denise Aviles, Executive Director; Yolanda McGowan, Legal Counsel; and Kimberly Wood, Bureau Assistant

GUESTS: Glen Schwalbach

CALL TO ORDER

Charles Kopplin, Chair, called the meeting to order at 8:34 a.m. A quorum of three (3) members was present.

ADOPTION OF AGENDA

Amendments to the Agenda:

- Item “F” (open session) Under the agenda item titled “Board Discussion Items including any received after printing of agenda; 3) Credentialing Matters”
 - **ADD: APPEARANCE 10:30 A.M.** – Appearance for a Class I Hearing – Daniel Posthuma
- Item “K” (closed session) Under the agenda item titled “Deliberation of other items including any received after printing of agenda; 12) Application Matters”
 - **ADD:** Deliberation on Class 1 Hearings:
 - 1) Daniel Posthuma

MOTION: Joseph Eberle moved, seconded by Steven Hook, to approve the Agenda of February 2, 2012 as amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Joseph Eberle moved, seconded by Steven Hook, to approve the Minutes of October 13, 2011, as published. Motion carried unanimously.

EXECUTIVE DIRECTOR MATTERS

AUGUST 16, 2012 – CANCELED

Denise Aviles informed the Section of the cancellation of the August 16, 2012 meeting date as it was erroneously scheduled.

ANNUAL POLICY REVIEW

Denise Aviles, Executive Director, informed the Section that the Department has requested review of the Board Member Guidebook and that each Section member should acknowledge receipt and understanding of this information by signing the statement page at the end of this publication.

BOARD APPOINTMENTS

Charles Kopplin made the following appointments for 2012:

- **CE Liaison:** Charles Kopplin
- **Rules Committee:** Charles Kopplin/Steven Hook
- **Screening Panel:** Steven Hook/Joseph Eberle
- **Credentialing Liaison:** Charles Kopplin
- **Monitoring Liaison:** Joe Eberle

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS BY
THE DIVISION OF ENFORCEMENT (DOE) INCLUDING ANY RECEIVED AFTER
PRINTING OF THE AGENDA**

10 ENG 014 – CHARLES J. LAHTI

Attorney Heather Curnutt, DOE Prosecuting Attorney, presented the Stipulation, Final Decision and Order in the matter of disciplinary proceedings against Charles J. Lahti (10 ENG 014). The Section will deliberate on this matter during closed session.

**BOARD DISCUSSION ITEMS INCLUDING ANY RECEIVED
AFTER PRINTING OF AGENDA**

1) DIVISION OF ENFORCEMENT MATTERS

Discussion Related to Distance Learning Courses on Ethics Offered by Texas Tech

The Section discussed changes to the ethical course offerings of Texas Tech for the purpose of remediation for its disciplinary cases. The Section decided that determinations regarding remediation courses to be included in the course of any disciplinary proceedings will be addressed on a case-by-case basis by the assigned case advisor.

2) EDUCATION AND EXAMINATION MATTERS

Update on Exams Vendor

Aaron Knautz, Office of Education and Examinations, joined the meeting to inform the Section that Professional Credentialing Services (PCS) won the examination contract and will continue to administer the Section's examinations.

3) CREDENTIALING MATTERS

Discussion with NCEES Relative to Degree Evaluation, the Washington Accord, and Pathways to Licensure

Jerry Carter, Executive Director, NCEES, appeared before the Section telephonically to participate in discussion and to answer questions relative to degree evaluation, the Washington Accord, and Pathways to Licensure.

The Section worked to determine whether to accept graduates of programs participating in the Washington Accord signatory agreement as equivalent to EAC/ABET graduates.

MOTION: Joseph Eberle moved, seconded by Steven Hook, to not approve the Washington Accord signatory agreement. Motion carried unanimously.

Discussion relative to the ABET accreditation criteria of Associates and Bachelors degree programs.

Dr. Joseph Sussman, Ph.D., ABET, was connected by phone to answer questions posed by the Section relating to ABET's criteria for accreditation for Associates and Bachelors degree programs.

(Mark Mayer joined the meeting at 9:51 a.m.)

Discuss Evaluation of 2 Year Degree Pathway to Licensure

Glen R. Schwalbach, Liaison of the Wisconsin Society of Professional Engineers (WSPE), appeared to provide a presentation to the Section relative to the evaluation of the two (2) year degree pathway to licensure. Mr. Schwalbach provided two (2) documents to the Section: 1) State Minimum Requirements for P.E. Licensure Applicants; and 2) Presentation to the Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors. Section discussion ensued.

APPEARANCE 10:30 A.M. – Appearance for a Class I Hearing – Daniel Posthuma

The Class 1 Hearing for Daniel Posthuma did not occur as this hearing was scheduled in error.

4) PRACTICE QUESTION MATTERS

Discussion on Whether the Development of Engineering Software Constitutes the Practice of Professional Engineering

Yolanda McGowan provided the Section with her legal opinion that, in and of itself, the development of engineering software does not necessarily constitute the practice of professional engineering. The Section discussed whether the development of engineering software constitutes the practice of professional engineering and considered the opinion stated by Legal Counsel McGowan. The Section did not take a formal position.

5) LEGISLATION/ADMINISTRATIVE RULE MATTERS

Discuss Change in Rule Verbiage Relative to “ABET accredited” Educational Institutions

The Section decided to address this agenda item under the agenda topic titled “Update on Rule related to Act 350: Registration Requirements”, as the two matters are related.

Update related to A-E 13: Continuing Education Rule- Effective January 1, 2012

The Section discussed its newly enacted continuing education rule. Charles Kopplin provided a handout to the Section titled “Approved Providers for Continuing Education Programs for Professional Engineers”. The Section discussed continuing education approvals in terms of approval of providers vs. approval of courses. Denise Aviles distributed Wis. Admin. Code, A-E 13, for the Section to reference during the course of discussion. She informed the Section that the Department will be sending out an e-mail notification to Wisconsin licensed professional engineers regarding the new continuing education requirements.

MOTION: Joseph Eberle moved, seconded by Mark Mayer, to approve as examples of continuing education providers the entities listed in numbers 1-13, on the document provided by Charles Kopplin. Motion carried unanimously.

Update related to A-E 2.02: Registration Seals (Electronic Seals and Stamps)

Yolanda McGowan requested that the Section defer discussion of this topic until the next Joint Board meeting so that the Joint Board can weigh in before the Section moves forward.

Update on Rule related to Act 350: Registration Requirements

The Section discussed the agenda item titled ‘Discuss Change in Rule Verbiage Relative to “ABET accredited” Educational Institutions’ as part of discussion of this item as the two matters are related.

Yolanda McGowan provided the Section with a copy of the rule draft relating to the requirements for registration as a professional engineer. The Section reviewed the rule draft with Legal Counsel McGowan and worked to provide her feedback relative to the language provided in this draft rule.

(Mark Mayer was excused at 1:31 p.m.)

6) LIAISON/COMMITTEE REPORTS

None.

7) SPEAKING ENGAGEMENT, TRAVEL, PUBLIC RELATION REQUESTS

Joint Central/Western Zone Interim Meeting on May 17–19 in Jackson Hole, WY

Denise Aviles inquired as to whether the Land Surveyor Section and the Engineer Section alternate years of attendance as the official delegate at the NCEES Central Zone meetings as it does with the NCEES Annual meetings. The Section proposed that the two Section’s alternate years of attendance so that one year the Engineers Section would attend both the Central Zone meeting and the Annual meeting and the next year the Land Surveyor’s Section would attend both meetings.

As a member of the Engineer Section was the official delegate at the 2011 NCEES Annual Meeting, a member of Land Surveyor Section should be the official delegate at the 2012 NCEES meetings.

The Section considered the designation of a representative to attend the Joint Central/Western Zone Interim Meeting on May 17–19, 2012 in Jackson Hole, Wyoming, and took action as outlined in the motion below.

MOTION: Joseph Eberle moved, seconded by Steven Hook, to designate Joseph Eberle as an alternate delegate, on behalf of the Wisconsin Board, to attend the Joint Central/Western Zone Interim Meeting on May 17–19, 2012 in Jackson Hole, Wyoming, in the event that a representative of the Land Surveyor Section is unable to attend. Motion carried unanimously.

2012 NCEES Annual Meeting on August 22-25 in St. Louis, Missouri

The Section deferred consideration of this matter until the Land Surveyor Section and the A-E Joint Board has had the opportunity to consider its proposal for alternating years of attendance for both the NCEES Central Zone and Annual Meetings. The Section will consider this matter at its next meeting.

INFORMATIONAL ITEMS

UPDATE ON THE TRANSITION OF THE NCEES FUNDAMENTALS OF ENGINEERING (FE) AND FUNDAMENTALS OF SURVEYING (FS) EXAMS TO COMPUTER-BASED TESTING (CBT)

Noted.

PUBLIC COMMENTS

Glen Schwalbach provided comments to the Section regarding various subjects discussed during the course of today's meeting.

CLOSED SESSION

MOTION: Steven Hook moved, seconded by Joseph Eberle, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.) Roll Call Vote: Joseph Eberle-yes, Steven Hook-yes; and Charles Kopplin-yes. Motion carried unanimously.

The Section convened into Closed Session at 1:51 p.m.

RECONVENE TO OPEN SESSION

MOTION: Joseph Eberle moved, seconded by Steven Hook, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 2:31 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION
IF VOTING IS APPROPRIATE**

**DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS
INCLUDING ANY RECEIVED AFTER PRINTING OF THE AGENDA**

10 ENG 014 – CHARLES J. LAHTI

MOTION: Steven Hook moved, seconded by Joseph Eberle, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Charles J. Lahti (10 ENG 014). Motion carried unanimously.

**DELIBERATION OF OTHER ITEMS
INCLUDING ANY RECEIVED AFTER PRINTING OF AGENDA**

- 1) CASE CLOSINGS – *NONE*
- 2) CASE STATUS REPORT

The Section received a report outlining its pending enforcement cases.

- 3) PROPOSED DECISIONS – *NONE*
- 4) SUMMARY SUSPENSIONS – *NONE*
- 5) OBJECTIONS AND RESPONSES TO OBJECTIONS – *NONE*
- 6) COMPLAINTS – *NONE*
- 7) ADMINISTRATIVE WARNINGS – *NONE*
- 8) MATTERS RELATING TO COSTS – *NONE*
- 9) MONITORING CASES – *NONE*
- 10) APPEARANCES FROM REQUESTS RECEIVED OR RENEWED – *NONE*
- 11) EXAMINATION MATTERS

Discussion Regarding Alleged Exam Irregularities

The Section discussed an alleged irregularity that occurred during a recent NCEES examination.

- 12) APPLICATION MATTERS

Deliberation on Class 1 Hearings:

➤ **Daniel Posthuma**

As the Class 1 Hearing for Daniel Posthuma did not occur, no closed session deliberation was required.

Application Review:

MOTION: Joseph Eberle moved, seconded by Steven Hook, to act on the applications reviewed for today's meeting as reviewed and signed in the application files. Motion carried. Charles Kopplin abstained from voting on the application matters of David Mortensen and Johnathan Thomas.

APPLICATIONS REVIEWED ON FEBRUARY 2, 2012

The Section took the following action on applications.

FOR PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

a. Granted

- | | |
|-----------------------|--------------------------|
| 1. Abts, Carla Lynn | 9. Brost, Sarah M |
| 2. Adams, Jay P | 10. Bunkelman, Anthony A |
| 3. Barry, Brittany E | 11. Burkart, Shane R |
| 4. Berg, Matthew J | 12. Buska, Matthew J |
| 5. Blaz, Nathaniel E | 13. Buzzi, Frank L |
| 6. Bock, Aaron P | 14. Chapman, Barton T |
| 7. Bolle, Christopher | 15. Cook, Jason A |
| 8. Brimhall, Bradley | 16. Cornelius, Bill G |

- | | |
|------------------------------|---------------------------|
| 17. Croisant, Daniel E | 67. LaMarca, Salvatore |
| 18. Dapp, Matthew A | 68. Langer, Mark E |
| 19. Davidson, Jonathan B | 69. Laracuente, Luis |
| 20. Denoble, Adam D | 70. Lewis, Christopher |
| 21. Devaraj, Srinath | 71. Lieffring, Craig S |
| 22. Dietrich, Laura A | 72. Lowe, James H |
| 23. Donovan, Terry P | 73. Lund, Jennifer A |
| 24. Doyle, Kelly C | 74. Martin, Christopher M |
| 25. Duchow, Jesse D | 75. Meier, Jeb I |
| 26. Dums, Alexander | 76. Meoska, Charles D |
| 27. Ebert, Alan M | 77. Mettlach, Steve A |
| 28. Ebrahimi, Ali | 78. Mikelsons, Andi J |
| 29. Ehmke, Jacob R | 79. Miller, Nathan W |
| 30. Ehriengren, Erik | 80. Mohr, David H |
| 31. Fiacchino, Stephen | 81. Mohr, Thomas A |
| 32. Frailing, Eric R | 82. Moris, Adam J |
| 33. Frederick, Christopher | 83. Mortensen, David M |
| 34. Gaugh, Adam R | 84. Nast, Suzan K |
| 35. Gehlhoff, Jeffrey C | 85. Omernik, Jared M |
| 36. Gehring, Dominic | 86. Paap, Timothy R |
| 37. Giuca, Cornel O | 87. Paulus, Susan C |
| 38. Glauser, John C | 88. Pfau, Jaimi N |
| 39. Gordon, Matthew | 89. Prince, Mark J |
| 40. Gose, Michael R | 90. Rectanus, Heather V |
| 41. Graves, Eric O | 91. Reichgelt, Timothy J |
| 42. Graves, Robin | 92. Reis, Elizabeth R |
| 43. Guenette, Jeffrey J | 93. Reis, Nicholas W |
| 44. Hagie, Thomas F | 94. Rogers, Brian J |
| 45. Hanson, Joseph L | 95. Ropp, Kenneth L |
| 46. Hartsook, Bryan D | 96. Rosbeck, Jacob D |
| 47. Heddlesten, Anthony | 97. Sackman, Heather |
| 48. Helland, Matthew J | 98. Sanfilippo, Sarah |
| 49. Henderson, Kyle R | 99. Schaub, Kevin T |
| 50. Hoernke, Nicholas | 100. Scheller, Michael E |
| 51. Isely, Joshua M | 101. Schmidt, Gregory C |
| 52. Jaeger, Jadon A | 102. Schmidt, Joseph P |
| 53. Janke, Ryan D | 103. Schmit, Robin E |
| 54. Jenne, Alissa M | 104. Schroeder, Matthew S |
| 55. Johnson, Stuart JG | 105. Schuh, Corey R |
| 56. Kallies, Ryan R | 106. Schultz, Cory E |
| 57. Kearney, Melissa E | 107. Schumacher, Anthony |
| 58. Keast, Kevin T | 108. Shedivy, Peter N |
| 59. Kessler, Jason R | 109. Siemens, Kimberly O |
| 60. Knudsen, Michael G | 110. Smith, Stefany L |
| 61. Kohler, Jesse J | 111. Solin, Matthew J |
| 62. Kriel, Tony R | 112. Spilde, Tim J |
| 63. Krippner, Matthew S | 113. Styka, Neal R |
| 64. Kruschke, Jerrel J | 114. Sundin, Duane G |
| 65. Kurnia, Andri | 115. Sykora, Ben |
| 66. Kutschenreuter, Justin M | 116. Thielmann, Ann C |

117. Thomas, Amit
118. Thomas, Jonathan D
119. Treazise, Marie A
120. Trzinski, Ryan H
121. Ubert, David
122. Vanasten, Forrest A
123. Veeder, Jacob J
124. Vesperman, Ashley

125. Walter, Mark D
126. Warner, Justin D
127. Woller, Joshua M
128. Yonke, Aimee M
129. Zaboklicki, Jerry A
130. Zandpour, Ramin
131. Zellmer, Jesse J
132. Zidek, Lauren A

b. Denied

1. Backus, Benjamin
2. Cardinal, Ryan
3. Engels, Mark J
4. Ferrara, Joseph C
5. Ganti, Subhadra

6. Gupta, Rishi
7. Gupte, Anup A
8. Hess, Brett A
9. Koldos, Robert
10. Murphy, Daniel

13) PROFESSIONAL ASSISTANCE PROGRAM CASES – *NONE*

14) MOTIONS – *NONE*

CONSULTING WITH LEGAL COUNSEL

Legal Counsel, Yolanda McGowan, was available for consultation throughout the duration of closed session.

OTHER BOARD BUSINESS

Charles Kopplin informed the Section that he may not be available to participate in the April 2012 A-E Joint Board meeting. He will contact Denise Aviles to inform her of his availability.

ADJOURNMENT

MOTION: Steven Hook moved, seconded by Joseph Eberle, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:35 p.m.

NEXT MEETING DATE: APRIL 19, 2012